

**CITY OF EUREKA
CITY COUNCIL/
REDEVELOPMENT AGENCY
AGENDA**



**REGULAR MEETING
TUESDAY, APRIL 5, 2011
CLOSED SESSION 5:00 P.M.
REGULAR SESSION 6:00 P.M.
COUNCIL CHAMBER
531 K STREET
EUREKA, CA 95501**

Marian Brady 1st Ward
Linda Atkins 2nd Ward
Mike Newman 3rd Ward
Melinda Ciarabellini 4th Ward
Lance Madsen 5th Ward

Frank J. Jäger, Mayor

David Tyson, City Manager
Pam Powell, City Clerk
William Bragg, Interim City Attorney

CLOSED SESSION

If closed session items cannot be completed by 5:55 P.M., they will be continued at the conclusion of the regular agenda, provided there is time. If time does not allow then those closed session items will be continued to the next regular meeting.

A. PUBLIC COMMENT PERIOD

(Limited to 3 minutes each speaker on closed session agenda items only)

B. Conference with legal counsel – existing litigation

City v. Floyd Squires (Humboldt Co. Superior Court No. CV1000894)
Pursuant to California Government Code Section 54956.9(a)

C. Public Employment – City Attorney

Pursuant to California Government Code Section 54957

D. Conference with real property negotiators - Property: City-owned property located at 2186 Tydd Street, APN's: 002-191-0202 and 002-191-013

Agency negotiator: David W. Tyson for the City of Eureka
Negotiating parties: Humboldt Open Door Clinic
Under negotiation: Price, terms and conditions.
Pursuant to California Government Code Section 54956.8

E. Conference with real property negotiators

Property: Coastal Dependent Industrial property located on the water side of Waterfront Drive, westerly of the Eureka Small Boat Basin; upland portion of APN 003-062-021.

Agency negotiator: David Tyson for the Eureka Redevelopment Agency

Negotiating parties: David Schneider

Under negotiation: price, terms, and conditions.

Pursuant to California Government Code Section 54956.8

F. Conference with labor negotiators

Agency designated representatives: Gary Bird for City of Eureka

Employee organization: Eureka Firefighters' Local #652 (EFL) and Eureka Fire Officers Local (EFOL)

Pursuant to California Government Code Section 54957.6

REGULAR SESSION – 6:00 P.M.

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

REPORT OUT OF CLOSED SESSION

MAYOR’S ANNOUNCEMENTS

Presentation of Proclamations: Sexual Assault Awareness Month April 2011
 Humboldt Arts Council 45th Anniversary
 March for Parks, April 15, 2011

COUNCIL REPORTS / CITY-RELATED TRAVEL REPORTS

Councilmember Brady: Acknowledgment of the Northern California Association of
 Nonprofits Leader Achievement Award for 2010 to Jeff
 Lamoree, founding President and current board member of the
 Sequoia Park Zoo Foundation.

BOARD/COMMISSION REPORTS

Open Space Parks and Recreation Commission

PUBLIC HEARINGS

*Public Hearings are scheduled for a time certain of 6:00 P.M. unless noticed otherwise,
or as soon thereafter as possible.*

1. Public Hearing – Chapter 153 Flood plain Ordinance
 Recommendation: 1. Hold a public hearing.
 2. Waive reading, read by title only and introduce Bill No
 825-C.S. an Ordinance of the City of Eureka Amending
 Title 15 Pertaining to Flood Hazard Area Regulations.
 (Community Development)

PUBLIC COMMENT PERIOD

*This is the time for members of the public who wish to be heard on matters that do not
appear on the Agenda. You may also request that a matter appearing on the Consent
Calendar be pulled and discussed separately. Pursuant to City Council Minute Order
dated May 4, 1989, City Council policy is to limit each speaker to three (3) minutes.*

Such time allotment or portion thereof shall not be transferred to other speakers. Pursuant to City Council Minute Order dated June 6, 2000, the public will be allowed to speak concurrently with the calling of an agenda item following the staff presentation of that item.

Pursuant to the Brown Act, the City Council may not take action on an item that does not appear on the Agenda.

2. Is there any person in the audience who wishes to address the Council at this time?

CONSENT CALENDAR

Notice to the Public: *All matters listed under this category are considered to be routine by the City Council and will be enacted by one motion. Unless a specific request is made by a Councilmember or the public, the Consent Calendar will not be read. There will be no separate discussion of these items. However, if discussion is required, that item will be removed from the Consent Calendar and considered separately.*

3. Council meeting minutes.
Recommendation: Approve the regular Council/Redevelopment Agency Board meeting minutes of February 1, 2011 and February 15, 2011 as submitted.
(City Clerk)
4. Pemberton, Amy
Recommendation: Reject the claim for damages.
(City Attorney)
5. Resolution Authorizing Examination of Transactions and Use Tax Records
Recommendation: Adopt City Council Resolution authorizing Hinderliter, deLlamas and Associates to examine Transactions and Use Tax records of the City in order to provide Compliance auditing services.
(Finance Director)
6. 2010 Lease Revenue Bonds Reimbursement Agreement Amendment
Recommendation: 1. Adopt a resolution of the Governing Board of the Eureka Public Financing Authority authorizing an approving an amendment to the reimbursement agreement relating to the Eureka Public Financing Authority 2010 Lease Revenue Bonds, Taxable Series A and Series B; and

2. Adopt a resolution of the Governing Board of the Eureka Redevelopment Agency authorizing and approving an amendment to the reimbursement and agreement relating to the Eureka Public Financing Authority 2010 Lease Revenue Bonds, Taxable Series A and B; and

3. Adopt a resolution of City Council of the City Eureka Agency authorizing and approving an amendment to the reimbursement agreement relating to the Eureka Public Financing Authority 2010 Lease Revenue Bonds, Taxable Series A and Series B.

(Finance Director)

ORDINANCES/RESOLUTIONS

7. City of Eureka "Guide to the City Council Meeting Process"

Recommendation: Adopt Resolution of the City Council of the City of Eureka adopting "A Guide to City Council Meetings", confirming and Establishing Policies for Council Meeting Proceedings.

(City Clerk)

REPORTS/ACTION ITEMS

8. Tobacco Prevention Update

Recommendation: Receive report from the American Cancer Society

(City Manager)

9. Medical Cannabis Selection Committee Recommendation

Recommendation: 1. Receive presentation from Humboldt Bay Wellness; and
2. Invite Humboldt Bay Wellness to submit an application for a Conditional Use Permit to establish a medical cannabis cultivation, production and distribution facility in the City limits.

(City Manager)

10. Supplemental Transaction and Use Tax Oversight Committee

Recommendation: Authorize the Finance Advisory Committee to assume the responsibilities of the Citizen Oversight Committee as described in Section 35.191 of the Supplemental Transaction and Use Tax.

(City Manager)

11. Strategic Planning Process

Recommendation: Authorize the City Manager to engage the services of Roger James to assist the City with a Strategic Planning process for an amount not to exceed \$10,500.
(City Manager)

CITY MANAGER/EXECUTIVE DIRECTOR'S REPORTS

Fire Department Monthly Report

ADJOURNMENT

If open session items cannot be completed by 9:30 P.M., the meeting may be adjourned to the next regular meeting or Council may vote to extend the meeting.

NOTICES

- The City Council agenda and supporting documents are available for public review on the Friday afternoon prior to the Tuesday meeting at the City Clerk's Office, the Eureka Humboldt County Library and on-line at www.ci.eureka.ca.gov.
- The numerical order of items on this agenda is for convenience of reference. Items may be taken out of order upon the request and consensus of the Mayor and Council.
- Any writing that is a public record not exempt from public disclosure and relating to an agenda item for open session of the City Council is available for public inspection at the Office of the City Clerk, 531 K Street, Room 207, Eureka, CA 95501.
- The meeting rooms are ADA accessible. Accommodations and access to City meetings for people with special needs must be requested of the City Clerk at 441-4175 72 hours in advance of the meeting. This agenda and other materials are available in alternate formats upon request.
- All persons in attendance at public meetings are requested to observe the following rules of civil debate:
 1. We may disagree, but we will be respectful of one another.
 2. All comments will be directed to the issue at hand.
 3. Personal attacks are unacceptable.

Applauding or other displays of approval/disapproval are discouraged.

- Regular City Council/Redevelopment Agency meetings are broadcast live by Humboldt Access on Cable Channel 10. Council meetings can also be viewed on line at www.accesshumboldt.net – Search archives “Eureka City Council Meetings”.
- To minimize distractions, please be sure all personal communication devices are turned off or on silent mode.

Questions? Please e-mail ppowell@ci.eureka.ca.gov or contact the City Clerk's office at (707) 441-4175.